IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

WP(C).No. 26707 of 2007(D)

PETITIONER:

SURESH KUMAR, S/O CHOYI,
VAILIPPATT HOUSE, IRINGAVOOR P.O.,
TIRUR, MALAPPURAM.

BY ADV. SRI.T.KRISHNAN UNNI

RESPONDENTS:

1. **THE TAHSILDAR, TALUK OFFICE,**
   TIRUR, MALAPPURAM.

2. **THE SUB INSPECTOR OF POLICE,**
   KALPAKACHERRY POLICE STATION,
   KALPAKANCHERRY.

3. **THE DISTRICT COLLECTOR,**
   COLLECTORATE, CIVIL STATION,
   MALAPPURAM.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC,J

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W.P.(C).No.26707 of 2007

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Dated this the 7th day of September, 2007

JUDGMENT

Petitioner's Mini Lorry is seized on the allegation that the same was used for unauthorised transportation of river sand. The complaint is that though the vehicle is retained with the second respondent the proceedings are not finalised. It is also submitted that if the second respondent had produced the vehicle before the concerned Magistrate court application could be made an interim custody.

In this case the appropriate course in my view is to direct the third respondent to pass final orders in the matter as required under Rule 27 of the Rules. Accordingly it is directed that the third respondent shall finalise the proceedings with respect to the petitioner's vehicle as expeditiously as possible, at any rate within ten days from the date of receipt of a copy of this judgment.

The petitioner is directed to produce a certified copy of this judgment before the third respondent for compliance.

ANTONY DOMINIC,JUDGE

dvs